

Serial No. 10/634,970  
Docket No. SHE0010.13

## REMARKS

### I. The Restriction Requirement:

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 68-77 and 95, drawn to a method of preparing a purified polymer and resultant purified polymer (classified in class 210, subclass 656); and
- II. Claims 78-94 and 96, drawn to a method of preparing a purified polymer (classified in class 528, subclass 482).

### II. Response to the Restriction Requirement:

In response, Applicants hereby elect Group II, claims 78-94 and 96, *with traverse*.

Traverse is premised on the ground that a combined search of both Groups does not impose an undue burden on the Examiner. As stated in the Manual of Patent Examining Procedure ("MPEP"),

[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

See M.P.E.P. Section 803.

Here, each of Groups I and II is drawn to (among other things) methods of preparing purified polymers, thereby suggesting that a search of potential art in this classification is simultaneously useful for each of these two Groups. In view of the above, it is therefore believed that search and examination of the entire application and claims can be made without serious burden to the Examiner. Consequently, reconsideration and removal of the requirement for restriction are respectfully requested.

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### III. Conclusion:

In view of the foregoing, Applicants submit that the all of pending claims satisfy the requirements of patentability and are therefore in condition for allowance. Consequently, a prompt mailing of a Notice of Allowance is earnestly solicited.

If a telephone conference would expedite the prosecution of the subject application, the Examiner is requested to call the undersigned at (650) 620-5506.

Respectfully submitted,  
Nektar Therapeutics

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